

**CITY OF FRANKLIN
COMMON COUNCIL MEETING
JUNE 5, 2007
MINUTES**

ROLL CALL	A.	The regular meeting of the Common Council was held on June 5, 2007 and called to order at 6:30 p.m. by Mayor Taylor in the Franklin City Hall Council Chambers, 9229 W. Loomis Road, Franklin, Wisconsin. On roll call, the following were in attendance: Aldermen Olson, Solomon, Hammelman, Kosovich, Sohns and Skowronski. Also present were City Engineer Bennett, Director of Administration Luberd, City Attorney Wesolowski and City Clerk Wesolowski.
CITIZEN COMMENT	B-1.	Citizen comment period was opened at 6:31 p.m. and closed at 7:00 p.m.
ANNOUNCEMENTS	B-2a.	Mayor Taylor announced a press release from County Executive Scott Walker regarding National EMS week.
	B-2b.	Mayor Taylor announced a letter of congratulations from Congressman Paul Ryan regarding the "City of the Future" Award for Franklin from the Financial Times FDI magazine.
MINUTES-05/22/07	C-1.	Alderman Kosovich moved to approve minutes of the regular meeting of May 22, 2007 as presented. Seconded by Alderman Solomon. On roll call, Aldermen Olson, Solomon, Kosovich, Sohns and Skowronski voted Aye; Alderman Hammelman voted Present. Motion carried.
MINUTES-05/29/07	C-2.	Alderman Olson moved to approve minutes of the special meeting of May 29, 2007 as presented. Seconded by Alderman Sohns. All voted Aye; motion carried.
CONSENT AGENDA		Alderman Sohns moved to approve the following consent agenda items:
FIRE DEPT. DONATION ADVISORY COMMITTEE	F-1a.	Authorize Fire Department to accept donation of \$71.86 from Roundy's Supermarkets to be used for the Sight for Life program;
	F-1b.	Authorize City Engineer Bennett to serve on the Southeastern Wisconsin Regional Planning Commission's Regional Control Survey Program Committee;
POLICE DEPT. GRANT - WIJIS	F-1c.	Authorize the Police Department to accept the State of Wisconsin Justice Information Sharing (WIJIS) Gateway Program grant of \$17,665 and further that this item be referred to the Technology Commission for information. Approval of consent items seconded by Alderman Hammelman. All voted Aye; motion carried.
POLICE DEPT. K-9 UNIT DOG REPLACEMENT	F-2.	Alderman Solomon moved to refer the purchase, training and equipping of three replacement dogs in the K-9 Unit with funds in 2007 Police Department personnel budget to the Finance Committee, with the item to proceed without returning to the Common Council if approval is recommended by the Finance Committee. Seconded by Alderman Hammelman. All voted Aye; motion carried.

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| RES. 2007-6283
CERTIFIED SURVEY
MAP (MEC
HOLDINGS I, LLC) | F-3. | Alderman Skowronski moved to approve Resolution No. 2007-6283, A RESOLUTION CONDITIONALLY APPROVING A 3-LOT CERTIFIED SURVEY MAP IN THE SOUTHEAST ¼ OF SECTION 08, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN (MEC HOLDINGS I, LLC, APPLICANT) (APPROXIMATELY 7700 TO 7800 SOUTH LOVERS LANE ROAD). Seconded by Alderman Solomon. All voted Aye; motion carried. |
| RES. 2007-6284
ENGINEERING
SERVICES
AGREEMENT –
WATER MAIN
EXTENSION | F-4. | Alderman Sohns moved to refer to Finance Committee for review a recommendation a RESOLUTION AUTHORIZING OFFICIALS TO EXECUTE AN ENGINEERING SERVICES AGREEMENT WITH GRAF, ANHALT, SCHLOEMER AND ASSOCIATES, INC. FOR WATER MAIN EXTENSION ON W. PUETZ ROAD FROM THE WEST SIDE OF THE ROOT RIVER TO S. 51ST STREET. Seconded by Alderman Solomon. All voted Aye; motion carried. (See Item F-4 following Item G-1 on Page 8.) |
| RES. 2007-6285
DEVELOPMENT
AGREEMENT –
RAWSON
DEVELOPMENT LLC | F-5. | Alderman Skowronski moved to adopt Resolution No. 2007-6285, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE A DEVELOPMENT AGREEMENT WITH THE DEVELOPER OF RAWSON DEVELOPMENT LLC. Seconded by Alderman Sohns. On roll call, all voted Aye. Motion carried. |
| RES. 2007-6286
AGREEMENT-
SENDIKS AT
FOUNTAINS OF
FRANKLIN | F-6. | Alderman Sohns moved to adopt Resolution No. 2007-6286, A RESOLUTION AUTHORIZING ACCEPTANCE OF STORM WATER FACILITIES MAINTENANCE AGREEMENT FOR SENDIK'S AT S. 51ST STREET & W. RAWSON AVENUE IN THE FOUNTAINS OF FRANKLIN. Seconded by Alderman Solomon. All voted Aye; motion carried. |
| RES. 2007-6287
AGREEMENT AND
STORM WATER
MGMT. FOR
FACILITY MAINT.
W. RAWSON AVE | F-7. | Alderman Olson moved to adopt Resolution No. 2007-6287, A RESOLUTION AUTHORIZING OFFICIALS TO EXECUTE AN AGREEMENT FOR HIGHWAY MEDIAN MAINTENANCE ON W. RAWSON AVENUE AND AN AGREEMENT FOR STORM WATER MANAGEMENT FOR FACILITY MAINTENANCE. Seconded by Alderman Sohns. All voted Aye; motion carried. |
| RES. 2007-6288
WATER MAIN
EASEMENT
SENDIK'S
FOUNTAINS OF
FRANKLIN | F-8. | Alderman Sohns moved to adopt Resolution No. 2007-6288, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A PERMANENT WATER MAIN EASEMENT FOR RAWSON DEVELOPMENT, LLC FOR SENDIK'S IN THE FOUNTAINS OF FRANKLIN. Seconded by Alderman Solomon. All voted Aye; motion carried. |

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| CONSTRUCTION
LIMITS
RECONSTRUCTION
OF S. 51 ST STREET | F-9. | Alderman Sohns moved that the reconstruction of S. 51 st Street north and south of W. Rawson Avenue be limited to minor improvements to the south portion with the creation of an undivided left turn lane by a minor widening of the pavement be referred to the Finance Committee for review. Seconded by Alderman Olson. All voted Aye; motion carried. |
| RES. 2007-6289
51 ST STREET
RECONSTRUCTION
PROFESSIONAL
SERVICES
AGREEMENT WITH
SINGLE SOURCE INC | F-10. | Alderman Hammelman moved to adopt Resolution No. 2007-6289, A RESOLUTION AUTHORIZING OFFICIALS TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH SINGLE SOURCE, INC. FOR REAL ESTATE SERVICES TO ACQUIRE RIGHT-OF-WAY FOR THE RECONSTRUCTION OF S. 51ST STREET FROM A POINT 1200 FEET NORTH OF W. RAWSON AVENUE TO W. RAWSON AVENUE/A POINT 1200 FEET SOUTH OF W. RAWSON AVENUE. Seconded by Alderman Sohns. All voted Aye; motion carried. |
| RES. 2007-6290
51 ST STREET
RECONSTRUCTION
ENGINEERING
SERVICES
AGREEMENT
TRAFFIC ANALYSIS
AND DESIGN, INC. | F-11. | Alderman Sohns moved to adopt Resolution No. 2007-6290, A RESOLUTION AUTHORIZING OFFICIALS TO EXECUTE AN ENGINEERING SERVICES AGREEMENT WITH TRAFFIC ANALYSIS AND DESIGN, INC. FOR THE PREPARATION OF A TRAFFIC GENERATION SPECIAL ASSESSMENT REPORT FOR THE RECONSTRUCTION OF S. 51ST STREET NORTH AND SOUTH AT W. RAWSON AVENUE. Seconded by Alderman Hammelman. All voted Aye; motion carried. |
| RES. 2007-6291
51 ST STREET
RECONSTRUCTION
RELOCATION
ORDER
ACQUISITION OF
PROPERTY | F-12. | Alderman Sohns moved to adopt Resolution No. 2007-6291, A RESOLUTION TO RENDER A RELOCATION ORDER PERSUANT TO §32.05(1), STATS., FOR THE REVISED RIGHT-OF-WAY PLAT FOR THE RECONSTRUCTION OF S. 51 ST STREET ON THE SOUTHWEST CORNER OF S. 51ST STREET AND W. DREXEL AVENUE. Seconded by Alderman Kosovich. All voted Aye; motion carried. |
| RES. 2007-6292
51 ST STREET
RECONSTRUCTION
NECESSITY OF
ACQUISITION OF
PROPERTY | F-13. | Alderman Sohns moved to adopt Resolution No. 2007-6292, A RESOLUTION DETERMINING THE NECESSITY OF PUBLIC ACQUISITION OF PROPERTY FOR THE RIGHT-OF-WAY PLAT FOR THE RECONSTRUCTION S. 51ST STREET AT W. DREXEL AVENUE. Seconded by Alderman Hammelman. All voted Aye; motion carried. |
| RES. 2007-6293
2007 LOCAL ROAD
PROGRAM | F-14. | Alderman Kosovich moved to adopt Resolution No. 2007-6293, A RESOLUTION AWARING CONTRACT TO THE LOWEST BIDDER FOR THE RECONSTRUCTION OF URBAN STREETS AS PART OF 2007 LOCAL ROAD PROGRAM to Payne & Dolan, Inc. in the amount of \$166,739.10. Seconded by Alderman Sohns. All voted Aye; motion carried. |

OPEN RECORDS LAWS	F-15A.	No action needed from the discussion held at the 6/04/07 Committee of the Whole meeting regarding emails and open meetings and open records law.
OPEN MEETINGS AND CLOSED SESSIONS	F-15B.	No action needed from the discussion held at the 6/04/07 Committee of the Whole meeting regarding open meetings and closed sessions.
SIGNS IN RIGHT-OF- WAY	F-15C.	No action needed from the discussion held at the 6/04/07 Committee of the Whole meeting regarding signs in right-of-way.
CLOSED SESSION- ALBERT TAN CLAIM	F-16.	Alderman Olson moved to deny the claim of Albert Tan for reimbursement of vehicle damage costs pursuant to §893.80(1g), Stats. as recommended for denial by Midwest Claims Service. Seconded by Alderman Hammelman. All voted Aye; motion carried.
CLOSED SESSION- ACQUISITION OF PROPERTY	F-17.	<p>Alderman Sohns moved to enter closed session at 8:14 p.m. pursuant to §19.85(1)(e), Stats. to consider the acquisition of a property by the City for public purposes for right-of-way for the reconstruction of S. 51st Street and the negotiation of the acquisition of such properties and to re-enter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Alderman Hammelman. On roll call, all voted Aye. Motion carried.</p> <p>Upon reentering open session at 8:20 p.m. Alderman Solomon moved to direct the City Attorney to proceed with the public acquisition process based on the City's appraisal and refer to Finance Committee for funding source as discussed in closed session. Seconded by Alderman Hammelman. All voted Aye; motion carried.</p>
APPOINTMENTS	G-1.	<p>Alderman Skowronski moved to confirm appointment of Bonnie Martins, term expires 7/01/10, to the Library Board. Seconded by Alderman Sohns. On roll call, all voted Aye. Motion carried.</p> <p>Alderman Skowronski moved to confirm appointment of David Bublitz, term expires 4/30/09, to the Fire and Police Commission. Seconded by Alderman Solomon. On roll call, Aldermen Solomon, Hammelman, Kosovich, Sohns and Skowronski voted Aye; Alderman Olson voted No. Motion carried.</p>
LICENSES AND PERMITS	H-1.	Alderman Solomon moved to approve the request for fee waiver from St. Alphonsus School, 2008 Graduating Class, 6000 W. Loomis Rd., Greendale, for temporary food and soda permit for June 9/10, 2007 at Wal-Mart. Seconded by Alderman Sohns. All voted Aye; motion carried.

LICENSES AND
PERMITS-
CONTINUED

Alderman Solomon moved to grant the following licenses subject to meeting all licensing requirements:

2007-08 Operator License to Kelly J. Mindiola, 914 Niagra Street, Waukesha; Mario Buendia, 2108 W. Layton Avenue, Milwaukee; Julie A. Bullen, 22508 N. 62nd Street, Wauwatosa; Judith Gifueroa, 230 W. Sunnyview Drive #201, Oak Creek; Frank D. Holm, Jr., 6643 S. Parkedge Circle; Dia M. LaCroix, 1143 60th Street, Caledonia; Jill H. Lake, W135 S7013 Hale Park Drive, Muskego; Robert S. Lane, 8212 S. 88th Street; Adam C. Lee, 4516 S. Clearwater Drive, New Berlin; Desaray L. Lenski, 200 E. Susan Drive, Oak Creek; Chung W. Leung, 2975 S. Diane Drive, Oak Creek; Sue M. Leung, 2975 S. Diane Drive, Oak Creek; Donna M. Majewski, 8142 S. 88th Street; Christy A. Marquardt, 6013 E. Windlake Rd, Union Grove; Kimberly M. Marquardt, 8918 N. Raynor Avenue, Franksville; Ronald R. Marquardt, 6013 E. Windlake Road, Union Grove; Henry Matecki, 6837 Conforti Court; Rachelle L. Mazola, 8432 W. Ryan Rd.; Kerri A. McCracken, 1833 W. Meyer Lane, Oak Creek; Kim M. Merriman, 3708 S. Fifth Avenue, South Milwaukee; Christine L. Michalak, 19090 Hi View Drive, Brookfield; Jacqueline M. Neal, N76 W30784 Hwy VV, Hartland; James W. Nelson, 225 W. Sunset Drive #E, Oak Creek; Norma J. Nelson, 225 W. Sunset Drive #E, Oak Creek subject to payment of fees; Virginia E. Nord, 4163 Hilltop Lane; Jessica R. Palma, 3455 S. 56th Street, Milwaukee; Samantha L. Perkins, 3502 Ninth Avenue, South Milwaukee; Fawn L. Pomeroy, 5688 W. Upham Avenue, Greenfield; Lynette M. Pruitt-Laehn, 10771 S. 13th Street, Oak Creek; Ryan M. Ratajewski, 158 W. Howard Avenue, Milwaukee subject to payment of fees; Debra Ann Reichart, 22217 Eight Mile Road, Muskego; Joel A. Reindl, 5409 S. Nicholson Avenue, Cudahy; Sue E. Reynolds; 5443 Mulberry Drive, Greendale; Terese A. Riesner, 10630 S. Peggy Drive, Oak Creek; Cynthia M. Rivette, 9332 W. Allerton Avenue, Greenfield; Christine A. Rozewicz, 8123 S. Legend Drive #A; Jennifer L. Schell, 3140A S. Adams Avenue, Milwaukee subject to payment of fees; Rachel N. Schelske, 6225 S. 39th Street, Greenfield; Jennifer J. Schultz, 1343 E. Moreland Blvd, Waukesha; Robert P. Sczerzen, 4018 S. 73rd Street, Milwaukee; Gurgit Singh Sekhon, 8969 S. Delaware Drive, Oak Creek; Harjeet Singh, 2536 W. Wanimont Avenue #206, Milwaukee; Jennifer L. Sobczak, 5866 S. New Berlin Road, Hales Corners; Deborah E. Sporleder, S108 W16327 Loomis Drive, Muskego; Irene R. Sramek, 1651C W. Edgerton Avenue, Milwaukee; Joseph Ty, 4831 S. 23rd Street, Milwaukee; Joel D. Voisin, 3557 S. 25th Street, Milwaukee; Kathleen R. Wegner, 26545 Nordic Ridge Drive, Windlake; Andrea L. Werlinger, 7275 S. 37th Place; Larry M. Wirtanen, 11430 W. Swiss Street; Louise M. Witt, 6300 W. LeRoy Avenue, Greenfield and Natasha Zarka, 8405 S. 27th Street;

LICENSES AND
PERMITS-
CONTINUED

Coin Machine Device Operator License to American Entertainment, Kenneth J. Grothmann, W337 S5059 Hwy GG, Dousman subject to payment of fees; Coinstar Entertainment Services, Inc., Randall J. Fagundo, 1335 Swallow Court, Boulder, Colorado; Games Are Us, Inc. Steven A. Murphy, 4905 S. Woodlawn Place, Greenfield; National Coin, Janis K. Thein, 3701 Third Street, South Milwaukee; Red's Novelty, Ltd, Richard J. Jacomet, 970 South Waterville Road, Oconomowoc; Reggie's Amusement, LLC, Reginald L. Zeniecki, 1331 W. Janat Drive, Oak Creek; and Wisconsin P&P Amusement, Inc. Wilfred L. Weigel, 13920 Waynescott Road, Brookfield;

Entertainment & Amusement License to Innovative Health & Fitness, Ltd, 8800 S. 102nd Street;

Temporary Class B Beer/Wine License to Franklin Lioness Club St. Martins Labor Day Fair, Person in Charge: Barbara Kenney, Sept. 2 & Sept. 3, 2007;

Fee Waiver for Franklin Lioness Club Temporary Class B, Soda & Transient Merchant Permit for 2007 St. Martins Fair – Labor Day Weekend and Franklin Historical Society Transient Merchant Permit for 2007 St. Martins Fair – Monthly Fairs and Labor Day Weekend;

and also moved to hold Class A Beer Licenses to 6/19/07 Common Council meeting for M Squared, Inc., 11357 W. St. Martins Road, Leonard Vanden Boom, Agent; Priya Corp, 5120 W. Ryan Road, Kavita Khullar, Agent and Roettgers Co., Inc. 7103 S. 27th Street, Marion Harrington, Agent;

and also moved to hold Class A Combination License to 6/19/07 Common Council meeting for Franklin Exxon Mobil Service Corp, 6611 S. 27th Street, Ghuman Kavar S Singh, Agent; Grundl Foods, Inc. 7140 S. 76th Street, Daniel J. Fassbender, Agent; Hodach Petroleum, Inc. 9830 W. St. Martins Road, Stephen A. Hodach, Agent; Midtown Citgo, LLC 11123 W. Forest Home Avenue, Ivano Dipietrantonio, Agent; Open Pantry Food Mart of WI, 7610 W. Rawson Avenue, Bodani Moyez, Agent; Sam's East, Inc. 6705 S. 27th Street, Julie A. Shutta, Agent; Spirit Dreams, LLC, 6507A S. 27th Street, Scott R. Haese, Agent; Three Cellars, LLC, 6955 S. 27th Street, Shawn Vollmer, Agent; Ultra Mart Foods, LLC, 7201 S. 76th Street, David Barber, Agent; and Woodcrest Market 11610 W. Rawson Avenue, Ingeborg C. Kowalski, Owner;

and also moved to hold Class B Beer Licenses to 6/19/07 Common Council meeting for Chai Garden, 6509 S. 27th Street, Thomas Chua, Owner and Federation of Croatian Societies, Inc., 9100 S. 76th Street, Josef Becker Sr., Agent;

LICENSES AND
PERMITS-
CONTINUED

and also moved to hold Class B Combination Licenses to 6/19/07 Common Council meeting for The Bowery, LLC 3023 W. Ryan Road, Roger Hein, Agent; Buckhorn Inn, 9461 S. 27th Street, Christopher Matecki, Owner; CG's Hideaway, LLC, 6357 S. 27th Street, Corey L. White, Agent; The Char Grill, Inc. 8933 S. 27th Street, Jeffrey J. Marsh, Agent; Chuckie's House of Wine, LLC 7133 S. 76th Street, Mark G. Nord, Agent; Crystal Ridge, Inc. 7900 W. Crystal Ridge Drive, John Kaishian, Agent; Di Vinca's, Inc. 7119B S 76th Street, Barbara A. Hammed, Agent; Diamondback Management, Inc. 6421 S. 27th Street, Donald Boinski, Agent; Domnick's Bar & Grill, LLC, 11027 S. 27th Street, Lauren K. Domnick, Agent; ERJ Dining III, LLC, 6439 S. 27th Street, Paul S. Thompson, Agent; GIDI, Inc. 3137 W. Rawson Avenue, Rex Idrizi, Agent; H, B & H, LLC, 10741 S. 27th Street, Daniel E. Hay, Agent; Hanley's Grille & Bar, LLC, 7101 S. 76th Street, Terrance M. Hanley, Agent; Hidden Talent, LLC, 11231 W. Forest Home Avenue, Robin W. Potter, Agent; Hugo's Steakhouse, LLC, 6951 S. Lovers Lane Road, William J. Hilger Jr., Agent; La Toscana Restaurant, LLC, 8405 S. 27th Street, Mirela Sopiotti Zarka, Agent; The Landmark of Franklin, LLC, 11401 W. Swiss Street, Laurie Beth Knaack-Helm, Agent; Little Cancun Restaurant, 7273 S. 27th Street, Veronica Cerera, Owner; M & W Leung, LLC, 7236 S. 76th Street, May F. Tze, Agent; Maximum Martini, LLC, 7352 W. Rawson Avenue, Thomas J. Gallante, Agent; Pantheon, Inc. 7621 W. Rawson Avenue, Lynda Koutromanous, Agent; Polish Heritage Alliance, Inc. 6941 S. 68th Street, Cynthia R. Lemek, Agent; Polonia Sport Club, Inc., 10200 W. Loomis Road, Mark Zaboklicki, Agent; Rawson Pub, Inc., 5621 W. Rawson Avenue, Steven D. Schweitzer, Agent; Robley Tech, Inc. 8330 W. Puetz Road, Dennis Rau, Agent; Romey's Place, 7508 S. North Cape Road, N. John Fabry, Owner; St. Martins Inn, LLC, 11318 W. St. Martins Road, Dennis J. Wegner, Agent; St. Nikola Religious & Cultural Enterprises, Inc., 7220 W. Rawson Avenue, Slavko Jevtic, Agent; Seventy-Six Street Pub & Grill, Inc., 9643 S. 76th Street, Debra J. Schaefer, Agent; Tacqueria Jalisco, Inc. 9405 S. 27th Street, Ruben Herrera, Agent; TJAL Holdings, Inc., 11433 W. Ryan Road, Roseann Losiniecki, Agent; Tuckaway Country Club, Inc., 6901 W. Drexel Avenue, Jerry Mortier, Agent and Wild Breed, Inc., 11430 W. Swiss Street, Cynthia Girmscheid, Agent;

Change of Agent to 6/19/07 Common Council meeting at the recommendation of the Department of Revenue pursuant to §77.61(11), Stats. for TJAL Holdings, Inc. d/b/a: Irish Cottage, Agent: Roseann C. Losiniecki, Location: 11433 W. Ryan Road;

2006-07 Operator License to Melissa J. Beck, 1110 W. Woodside Drive, Hales Corners with warning letter from City Clerk and Carey O'Connell, 24607 S. Loomis Road, Windlake;

LICENSES AND
PERMITS-
CONTINUED

2007-08 Operator License to Jeffery R. Hartnell, 3509 S. 43rd Street, Greenfield and Anthony Kwiatkowski, 1430 Park Place #17, Union Grove with warning letter from City Clerk;

and also moved to hold 2007-08 Operator License for Joseph R. Vanderhoef, 306A East Plainfield Avenue, Milwaukee subject to appearing before the License Committee. Seconded by Alderman Hammelman. All voted Aye; motion carried.

RES. 2007-6284
ENGINEERING
SERVICES
AGREEMENT-
WATER MAIN
EXTENSION

F-4.

Alderman Sohns moved to reconsider action previously taken on Item F-4 to refer a resolution to the Finance Committee regarding an engineering services agreement with Graef, Anhalt & Schloemer and Associates, Inc. Seconded by Alderman Hammelman. All voted Aye; motion carried. (See Item F-4 on Page 2.)

VOUCHERS AND
PAYROLL

I-1.

Alderman Solomon moved to approve net City vouchers in the range of Nos. 120802 through 120949 in the amount of \$681,405.04. Seconded by Alderman Kosovich. On roll call, all voted Aye; motion carried.

Alderman Kosovich moved to approve the net City payroll of May 25, 2007 in the amount of \$312,768.88. Seconded by Alderman Olson. On roll call, all voted Aye; motion carried.

ADJOURNMENT

J.

Alderman Olson moved to adjourn the meeting at 8:30 p.m. Seconded by Alderman Solomon. All voted Aye; motion carried.